CLASSIFICATION OFFICE DECISION

Title of publication:	BDAB427D54AA2036
Other known title(s):	Not stated
OFLC ref:	2000036.028
Medium:	Image File
Publisher:	Not stated
Country of origin:	Not stated
Language:	Not applicable
Applicant:	Commissioner of Police
Classification:	Unrestricted.
Descriptive note:	None
Display conditions:	None
Date of entry in Register:	06 April 2020
Date of direction to issue a label:	No direction to issue a label has been issued
Date of notice of decision:	06 April 2020

Summary of reasons for decision:

The publication is a digital image file that is focused on the naked buttocks of a partially visible child lying on a bed facing away from the camera. A clothed partially visible adult appears in the foreground of the image. The Classification Office examined the publication with s3(1A) of the Films Videos and Publications Classification (FVPC) Act in mind and decided that it cannot reasonably be capable of being regarded sexual in nature. The publication does not get through the "subject matter gateway" of s3(1) of the FVPC Act, and neither does it deal with any matters under s3A or s3B of that Act. The publication must therefore be classified as unrestricted. This classification is consistent with the right to freedom of expression as provided by the New Zealand Bill of Rights Act 1990.